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DEPARTMENT OF ENERGY
FEDERAL ENERGY REGULATORY COMMISSION

Chittenden Falls Hydropower, Inc.

Project No. 3273-022

NOTICE OF INTENT TO FILE LICENSE APPLICATION, FILING OF PRE-APPLICATION DOCUMENT, APPROVING USE OF THE TRADITIONAL LICENSING PROCESS

- a. Type of Filing: Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.
- b. Project No.: 3273-022
- c. Date Filed: May 31, 2016
- d. Submitted By: Chittenden Falls Hydropower, Inc.
- e. Name of Project: Chittenden Falls Hydroelectric Project
- f. Location: On Kinderhook Creek, in Columbia County, Stockport, New York. No federal lands are occupied by the project works or located within the project boundary.
- g. Filed Pursuant to: 18 CFR 5.3 of the Commission's regulations
- h. Potential Applicant Contact: Jonathan Miller, Chittenden Falls Hydropower, Inc., c/o Gravity Renewables, Inc., 1401 Walnut Street, Suite 220, Boulder, CO 80302; (303) 615-3102; info@gravityrenewables.com
- i. FERC Contact: Gaylord Hoisington (202) 502-6032; or e-mail at gaylord.hoisington@ferc.gov
- j. Chittenden Falls Hydropower, Inc. filed its request to use the Traditional Licensing Process on May 31, 2016. Chittenden Falls Hydropower, Inc. provided public notice of its request on June 10, 2016, in the Columbia County newspaper. In a letter dated August 9, 2016, the Director of the Division of Hydropower Licensing approved Chittenden Falls Hydropower, Inc.'s request to use the Traditional Licensing Process.
- k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service under section 7 of the Endangered Species Act and

the joint agency regulations thereunder at 50 CFR, Part 402; and NOAA Fisheries under section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act and implementing regulations at 50 CFR 600.920. We are also initiating consultation with the New York State Historic Preservation Officer, as required by section 106, National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.

- l. With this notice, we are designating Chittenden Falls Hydropower, Inc. as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act and section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act; and consultation pursuant to section 106 of the National Historic Preservation Act.
- m. Chittenden Falls Hydropower, Inc. filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.
- n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at FERCONlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.
- o. The licensee states its unequivocal intent to submit an application for a new license for Project No. 3273-022. Pursuant to 18 CFR 16.8, 16.9, and 16.10 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by May 31, 2019.
- p. Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filing and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: August 09, 2016

Nathaniel J. Davis, Sr.,
Deputy Secretary.

